IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 928 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAJESH NANDLAL KHANDELWAL

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 928 of 2002

MR EE SAIYED for Petitioner No. 1

MR PR ABICHANDANI, APP for Respondent No. 1

MR UTPAL M PANCHAL for Respondent No. 2

DS AFF.NOT FILED (N) for Respondent No. 3

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 07/02/2003

ORAL JUDGEMENT

During the course of arguments, parties have

entered into a compromise and same has been reduced in writing. They have prayed for muddamal and also withdrawal of the petition in view of the compromise purshis.

2. As far as withdrawal of the petition is concerned, this Court can grant permission. However, in view of Sec.102 Cr.P.C., power to grant muddamal is vested with the concerned Police Officer and hence, parties will have to submit the purshis before the concerned authority. Concerned officer is not present though specifically directed.

3. Parties are directed to submit the compromise purshis before the concerned authority and concerned authority is directed to take appropriate decision according to law. In case of difficulty, parties are at liberty to approach either this Court or the court below.

4. With the aforesaid directions and observations, this petition stands disposed of as withdrawn. Rule is discharged. Direct service is permitted.

(R.P.DHOLAKIA,J.)
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